

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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| THE KENTUCKY PUBLIC SERVICE COMMISSION |) | |
| |) | |
| vs. |) | CASE NO. |
| |) | 9423 |
| COXTON WATER WORKS, INC. |) | |

O R D E R

On September 24, 1985, the Commission established this case because Coxton Water Works, Inc., ("Coxton") had failed to comply with the Commission's Regulations. Public Hearings were held on October 29, 1985, and February 25, 1986.

In a letter dated February 27, 1986, Coxton explained that the system had been shut down since the first week in November, 1985, due to insufficient funds in paying their electric bills and damage done to their system by contractors installing a sewage system in the Coxton community. The customers of Coxton are now receiving water from the county government. On March 7, 1986, the Commission received a letter from the Harlan County Judge/Executive verifying that Black Mountain Utility District ("Black Mountain"), when legally formed, will include the Coxton Community.

After reviewing the record in this case and being advised, the Commission is of the opinion and finds that:

(1) Coxton has sufficiently explained why it cannot comply with the Commission's regulations.

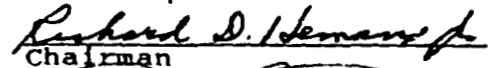
(2) Coxton has transferred ownership of its water works system to Harlan County.

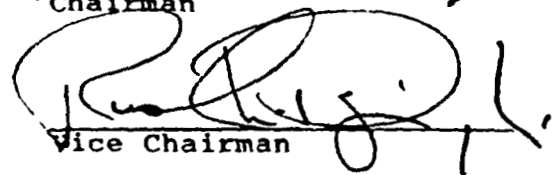
(3) This case should be closed and a new case should be opened to consider the transfer of Coxton to Harlan County and the eventual transfer to Black Mountain. Upon opening of that case, the record herein should be incorporated by reference.

IT IS THEREFORE ORDERED that this case be and it hereby is closed.

Done at Frankfort, Kentucky, this 18th day of April, 1986.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Acting Secretary